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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,004	01/30/2002	Arvind Srinivasan		6595
7590	08/24/2005		EXAMINER	LEWIS, CHERYL RENEA
THEODORE JAY SUITE 600 16 N CHATSWORTH AVE LARCHMONT, NY 10538			ART UNIT	PAPER NUMBER
2167				
DATE MAILED: 08/24/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/061,004	SRINIVASAN, ARVIND
	Examiner	Art Unit
	Cheryl Lewis	2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 January 2002.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 2 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1 and 2 are presented for examination.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 1 is rejected under 35 U.S.C. 101 because claim 1 is directed to an abstract information drop box defined as a cell with properties of an address via email; storing structured and unstructured data types; cell storage life cycles; manipulation of different protocols; event notification and registered event handlings; and organization of hierarchy or relationships which are abstract ideas or the mere manipulation of an abstract idea.

4. The claimed invention is directed to non-statutory subject matter because according to claim 1 the language of the claim raises a question as to whether the claim is directed to an abstract idea that is not tied to a technological art. According to the claim "An abstract information drop box defined as a cell with the following properties" is non-statutory for at least the reason that it is not tangibly embodied in a manner so as to be executable. It appears that the claimed "abstract information box defined as a cell" is merely defined by the properties of an address via email; storing structured and unstructured data types; cell storage life cycles; manipulation of different protocols; event notification and registered event handlings; and organization of hierarchy or

relationships. It is unclear to the examiner as to what the cell actually comprises and how the cell is manipulating the above identified properties, the totality of the collective properties are non-functional descriptive material.

Abstract ideas, Warmerdam, 33 F.3d at 1360, 31 USPQ2d at 1759, or the mere manipulation of abstract ideas, Schrader, 22 F.3d at 292-93, 30 USPQ2d at 1457-58, are not patentable. Claims to processes that do nothing more than solve mathematical problems or manipulate abstract ideas or concepts are more complex to analyze. If the "acts" of a claimed process manipulate only numbers, abstract concepts or ideas, or signals representing any of the foregoing, the acts are not being applied to appropriate subject matter. Schrader, 22 F.3d at 294-95, 30 USPQ2d at 1458-59. Thus, a process consisting solely of mathematical operations, i.e., converting one set of numbers into another set of numbers, does not manipulate appropriate subject matter and thus cannot constitute a statutory process. In practical terms, claims define nonstatutory processes if they:

- consist solely of mathematical operations without some claimed practical application (i.e, executing a "mathematical algorithm"); or
- simply manipulate abstract ideas, e.g., a bid (Schrader, 22 F.3d at 293-94, 30 USPQ2d at 1458-59) or a bubble hierarchy (Warmerdam, 33 F.3d at 1360, 31 USPQ2d at 1759), without some claimed practical application.

Claim 1 is not limited to tangible embodiments. To overcome this type of 101 rejection the claim needs to be amended to include only tangible embodiments which

comprise the manipulation of functional data or items (e.g., computer, computer readable media, memory, etc.).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoyle (Pat. No. 6,771,290 B1 filed July 16, 1999).

7. Regarding Claim 1, Hoyle teaches a computer interface method and apparatus with portable network organization system and targeted advertising.

The method and associated system for a computer interface method and apparatus with portable network organization system and targeted advertising as taught or suggested by Hoyle includes:

addressable via email address (col. 12, lines 44-56); storing a variety of structured and unstructured data and data types including Mails, Files, XML, and other data formats with data inside cell organized in folders (col. 10, lines 35-67, col. 11, lines 1-41, col. 15, lines 1-60, col. 16, lines 31-55); data in the cell can have different storage life cycles (col. 35, lines 19-54); data can be stored, retrieved, removed and

manipulated using a variety of different protocols (figures 5-5a, col. 13, lines 39-67, col. 14, lines 1-37); application services including event notification, calling registered event handles and forwarding of data (col. 10, lines 34-67, col. 11, lines 1-67, col. 12, lines 1-38 col. 20, lines 34-67); replicated and organized in a hierarchy or other relationships (figures 1-3, col. 20, lines 34-67, col. 21, lines 1-29).

8. Regarding Claim 2, Hoyle teaches the grid connection means (col. 12, lines 39-67).

CONCLUSION

9. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

- A. Dedrick et al. (U.S. Pat. No. 6,091,386 B1) discloses an electronic asset leading library method and apparatus; and
- B. Zimniewicz et al. (U.S. Pat. No. 6,744,450 B1) discloses a system and method of providing multiple installation actions.

NAME OF CONTACT

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (703) 305-8750. The examiner can normally be reached on (571) 272-4113 from 6:30 to 3:00.

Art Unit: 2167

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

(571) 273-4113 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/ Technology Center (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Cheryl Lewis
Patent Examiner
August 22, 2005